IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Letters Patent Appeal No.66 of 2007
In
Writ Petition No.743 of 2006

Apang Seva Sanstha. .. .. .. Appellant
(Orig.Respondent)

v/s.

Moreshwar Shantaram Bangar & anr. .. Respondents

Mr.P.K. Hoshing for Appellant.

Mr.Madan Limaye for Respondent No.1.

Mr.R.M. Patne, AGP for Respondent No.2.

CORAM : J.N. PATEL &
SMT.ROSHAN DALVI, JJ.

DATED : 11th April, 2007

P.C. :

1. The termination of Respondent No.1 (original Petitioner) was held to be illegal for the reason that Respondent No.1 has been suitably terminated on the ground that he had misappropriated the amount of Rs.676/- without holding any enquiry.

2. It is not disputed that no enquiry was conducted in the matter and, therefore, in our view, the School Tribunal as well as the learned Single Judge have not committed any error or illegality in quashing and setting aside the termination of Respondent No.1 as illegal for the reason that the Appellant-employer did not follow the principles of natural justice. Therefore, no interference is called for.

The Letters Patent Appeal stands dismissed with costs.

3. In view of the disposal of the LPA, nothing survives in Civil Application No.76 of 2007 taken out therein and the same is disposed of as rendered infructuous.

(J.N. PATEL, J.)

(SMT. ROSHAN DALVI, J.)